

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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FEB 12 2018	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL DAVID BOWER,

Defendant.

Case No. 2:17-cr-00317-RFB-VCF

Preliminary Order of Forfeiture

This Court finds that defendant Michael David Bower pled guilty to Counts Ten through Twelve of a Sixteen-Count Criminal Indictment charging him with Mail Theft in violation of Title 18, United States Code, Section 1708. Criminal Indictment, ECF No. 12; Change of Plea, ECF No. 52; Plea Agreement, ECF No. 50.

This Court finds defendant Michael David Bower agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Criminal Indictment, ECF No. 12; Change of Plea, ECF No. 52; Plea Agreement, ECF No. 50.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment and the offenses to which defendant Michael David Bower pled guilty.

The following property is any property, real or personal, which constitutes or is derived from proceeds traceable to violations of Title 18, United States Code, Section 1708, a specified unlawful activity as defined in Title 18, United States Code,

1 Section 1956(c)(7)(D), or a conspiracy to commit such offense, and is subject to
2 forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) with Title
3 28, United States Code, Section 2461(c):

4 1. over 100 pieces of stolen mail, including checks from H.E., T.T., and
5 P.H.H; and

6 2. over 100 pieces of stolen mail, including checks from D.W., R.C., and
7 M.F.;

8 (all of which constitutes property).

9 This Court finds the United States of America is now entitled to, and should,
10 reduce the aforementioned property to the possession of the United States of
11 America.

12 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
13 DECREED that the United States of America should seize the aforementioned
14 property.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
16 rights, ownership rights, and all rights, titles, and interests of Michael David Bower
17 in the aforementioned property is forfeited and is vested in the United States of
18 America and shall be safely held by the United States of America until further order
19 of the Court.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United
21 States of America shall publish for at least thirty (30) consecutive days on the official
22 internet government forfeiture website, www.forfeiture.gov, notice of this Order,
23 which shall describe the forfeited property, state the time under the applicable

1 statute when a petition contesting the forfeiture must be filed, and state the name
2 and contact information for the government attorney to be served with the petition,
3 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section
4 853(n)(2).

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any
6 individual or entity who claims an interest in the aforementioned property must file
7 a petition for a hearing to adjudicate the validity of the petitioner's alleged interest
8 in the property, which petition shall be signed by the petitioner under penalty of
9 perjury pursuant to Title 21, United States Code, Section 853(n)(3) and Title 28,
10 United States Code, Section 1746, and shall set forth the nature and extent of the
11 petitioner's right, title, or interest in the forfeited property and any additional facts
12 supporting the petitioner's petition and the relief sought.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
14 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las
15 Vegas, Nevada 89101, no later than thirty (30) days after the notice is sent or, if
16 direct notice was not sent, no later than sixty (60) days after the first day of the
17 publication on the official internet government forfeiture site, www.forfeiture.gov.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
19 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United
20 States Attorney's Office at the following address at the time of filing:

1 Michael A. Humphreys
Assistant United States Attorney
2 Daniel D. Hollingsworth
Assistant United States Attorney
3 501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101
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5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
6 described herein need not be published in the event a Declaration of Forfeiture is
7 issued by the appropriate agency following publication of notice of seizure and intent
8 to administratively forfeit the above-described property.

9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk
10 send copies of this Order to all counsel of record.

11 DATED this 12th day of February, 2018.

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HONORABLE RICHARD F. BOULWARE
15 UNITED STATES DISTRICT JUDGE
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